

From: Robert Dickens, 1181 Fernridge Avenue, Grand Rapids, Mi 49546

To: The Honorable Judge Drain:

Judge Robert D. Drain
U.S. Bankruptcy Court Case #05-44481
One Bowling Green
New York, New York 10004-1408

FAX 914-390-4073

Please, Please, Please, consider the hardship that will fall upon thousands of loyal workers and their children if the Delphi Salaried Pensions are allowed to be compromised.

I have been looking for work for over a year since I was forced into retirement. Despite my best efforts I remain unemployed. At age 54 with two kids below the age of 10, I am here to tell you that the second career ... "IT AINT HAPPENING." Take a look at my resume and you will know what I am up against. If as a separated Delphi "retiree" I can't find a job, who can?

The pension is already not enough to cover health care, our mortgage, a student loan, and groceries. We will be forced into homeless poverty if the pension is reduced further.

Three Pages to follow

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EDUCATION

Juris Doctor, Michigan State University College of Law, Lansing, MI (2006)

- *Magna Cum Laude*, Graduating in the top 15% of class.
- Jurisprudence awards: Adv. Criminal Procedure, Public International Law, and Professional Responsibility; electives concentrating in business law (UCC, Corporate Finance, Securities).
- Admitted to practice – State of Michigan, P70170 (2006)

Continuing Legal Education - ICLE 40 Hr. Civil Mediation (MCR 2.410 and 2.411) (Nov. 2008)

Bachelor of Science, University of Michigan, Ann Arbor, MI

LAW EXPERIENCE

Mediation – Internship at West Michigan Alternative Dispute Resolution Center 2009 - Date

- Completed step two of three steps toward qualification as a court-listed General Civil Mediator.

Solo Practice – Providing limited assistance and guidance in various areas of law 2008 – Date

- Business formation and licensing, (Various LLC's & Operating Agreements), Non-profit (advise board on by-laws, officer duties, contract, taxation), dispute resolution, probate, zoning, divorce.

PRIOR WORK EXPERIENCE

Delphi Automotive Systems, Wyoming, MI – Steady history of career growth 1978 - 2008

Senior Environmental Engineer, Duties of environmental engineer plus: 1997 – 2008
Direct all site environmental activity, addressed property contamination and remediation.

- Repopulate and train entire hourly workforce under tier-two labor agreement, supervise and train my replacement ensuring a smooth transition.
- Re-directed site "Brownfield" initiative resulting in a \$10 M tax abatement.
- Functioned as key resource defending class action environmental lawsuit.

Environmental Engineer, Duties of associate environmental engineer plus: 1983 – 1997
Supervise wastewater treatment plant, develop and manage oil reclamation facility, responsible for budgets to 1.3 M and staff of four hourly employees. Develop and implement local policy.

- Certified hazardous materials manager – Master Level.
- Haz -Mat training to the level of Incident Commander.
- Draft permit applications for Federal, State, Local environmental activity.
- Draft and implemented work instructions, training programs for site employees.
- Licensed Storm Water Operator, MDEQ, site asbestos "knowledgeable person"

Assoc. Environmental Engineer 1978 – 1983

Manage all plant hazardous and non-hazardous waste activity, asbestos remediation.

- Responsible for DOT regulations, completed supervisor training.
- Direct skilled trades activities, technical resource & trainer for fire and safety matters.
- Interpret regulations, provide engineering support, draft regulatory responses.
- Licensed Industrial Wastewater Treatment Plant Operator, MDEQ.

INTERESTS AND ACTIVITIES

Member, Grand Rapids Bar Association
Private Pilot Certificate, FAA
Accomplished yachtsman

Dear Mr. Bloom,

When DSRA's Paul Dobosz met with you in Washington as part of the salaried automotive retiree group late in April, you indicated that preservation of pension plans was a high priority for you. You also emphasized that you were looking for reasonable solutions despite a very difficult set of circumstances. I am contacting you today because we have been advised by reliable sources that a decision on the disposition of the Delphi salaried pension plan is imminent and that now is the time to take action if a turnover to the PBGC is to be avoided. Delphi salaried retirees need task force assistance at this time to help avoid this additional blow to a group that is already hurting badly from the loss of health and life insurance benefits. We would propose, as a reasonable solution, best for all involved that GM roll the Delphi Pension fund and Salaried retirees into the GM Salaried retirees Pension fund and program.

Here is a summary of facts concerning the current situation:

- The Delphi Salaried Pension Plan is underfunded by approximately \$2 billion which Delphi is unlikely to be able to make up anytime soon.
- Virtually all of the plan's participants worked over 2/3 (25+yrs) of their career as GM salaried employees some spending as little as a few months as Delphi employees prior to retirement.
- The GM salaried pension plan is far better funded than the Delphi plan so folding the Delphi salaried pension plan into GM's plan is a reasonable move from both a financial and ethical standpoint.

We believe that what we propose is in the best interest of all stakeholders in the GM/Delphi restructuring process for the following reasons:

- Delphi salaried retirees have already suffered disproportionate losses with respect to their auto industry peers and should at least have their pensions preserved.
- Delphi cannot emerge from Chapter 11 without resolving the salaried pension issue therefore they must either turn pensions over to PBGC or return them to GM from where the original liability came.
- PBGC currently holds liens on many assets that Delphi needs to sell to emerge from Chapter 11. This action would clear those liens enabling Delphi to proceed with its reorganization.
- GM currently intends to purchase several of the Delphi assets with PBGC liens. This action would also allow those acquisitions to proceed unimpeded.
- PBGC will avoid the assumption of another large underfunded pension plan.
- The US Treasury will collect additional taxes on the increased pension amounts paid to retirees over the lifetime of the annuities.

In closing, I ask you to use your considerable influence in the restructuring process to achieve the transfer of the Delphi Salaried pension plan back to GM from where it originated. GM has played a significant role in Delphi's salaried retirees' current troubled situation starting with the Separation Agreement, imposing their handpicked management team, and saddling Delphi with non competitive supply contracts. I hope you will recognize that the deck was stacked against Delphi's salaried retirees at the spinoff and do what is both reasonable and right.

Sincerely,


Robert Dickens

Delphi Salaried Retiree Association